

REMARKS

Claims 1, 23 and 26 have been amended; claims 7 and 31 have been cancelled; and the claims 110-119 have been added. Accordingly, claims 1-4, 6, 23-28, 30, 32, 58-59, 66-68, 70-71, 98, 101-102 and 107-119 are currently pending.

I. Amendments:

Claims 1, 23 and 26 have been amended to recite that the polysilicate microgel has a specific surface area of at least 1000 m²/g. Support for these amendments can be found in original claims 7 and 31. No new matter has been added.

New claims 110-119 all depend from claim 23. Claim 110 recites that the polysilicate microgel obtained has a molar ratio SiO₂:M₂O, where M is alkali metal, between 3:1 and 20:1. Support for this claim can be found in original claim 4.

Claim 111 recites that the aqueous polysilicate microgel obtained has a SiO₂ content of at least 5% by weight. Support for this claim can be found in original claim 6. Claim 112 depends from claim 111 and recites that the aqueous polysilicate microgel obtained has a SiO₂ content of at least 15% by weight. Support can be found in previously presented claim 30.

Claim 113 recites that the process of claim 23 further comprises a step of diluting the aqueous polysilicate microgel by adding an aqueous solution or suspension. Support can be found in previously presented claim 59.

Claim 114 recites that the process of claim 23 further comprises mixing components (i) and (ii) with (iii) an aluminium salt. Support can be found in the specification at p.5, lines 27-29. Claim 115 depends from claim 114 and recites that the aluminium salt, component (iii), is sodium aluminate. Support can be found in the specification at p.6, line 4.

Claim 116 recites that the aqueous solution of alkali metal silicate, component (i), is an aqueous solution of sodium silicate. Support can be found in the specification at p.3, l.10-14.

Claim 117 recites that the aqueous phase of silica-based material, component (ii), is an acidified solution of an alkali metal silicate. Support can be found in the specification at p.4, l.16-20. Claim 118 depends from claim 117 and recites that the acidified solution of an alkali metal silicate, component (ii), is sodium silicate. Support can be found in the specification at p.4, l.22. Claim 119 also depends from claim 117 and recites that the acidified solution of an alkali metal silicate, component (ii), is an alkali metal silicate that has been both acidified and aluminated. Support can be found in the specification at p.5, l.1-2. No new matter has been added.

II. The Invention:

The invention is directed to aqueous polysilicate microgels and a process for preparing same, which allows for the preparation of high-concentration polysilicate microgels with high stability. The polysilicate microgels are particularly useful as drainage/dewatering aids.

III. Objections/Rejections:

Rejections:

On pages 3-4 of the Office Action, claims 1, 4, 6, 23-24, 26-27, 30, 32, 58-59, 66-68, 70-71, 98, 101-102 and 107-107 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,116,418 to Kaliski ("Kaliski"). This rejection is respectfully traversed.

Previous claims 7 and 31, which depended from claims 1 and 26, were not included in the instant rejection. Further, the Office Action indicates (on page 5) that claims 7 and 31 would be allowable if re-written in independent form.

As all the independent claims (i.e., claims 1, 23 and 26) now include the subject matter of claims 7 and 31, it is respectfully submitted that for this reason alone, the instant claims are allowable over Kaliski.

Therefore, it is respectfully requested that the rejections under 35 U.S.C. 103(a), in view of Kaliski, be withdrawn.

On pages 4-5 of the Office Action, claims 1-4, 6, 23-28, 30, 32, 66-68, 70-71, 98, 101-102 and 107-109 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 7,169,261 ("the '261 patent").

As previous claims 7 and 31 were not included in this rejection, for the reasons discussed above, it is respectfully submitted that this provisional rejection over the '261 patent is now moot. Therefore, it is respectfully requested that the rejections over the '261 patent be withdrawn.

IV. Conclusion:

Applicants respectfully submit that the application as amended, including claims 1-4, 6, 23-28, 30, 32, 58-59, 66-68, 70-71, 98, 101-102 and 107-119, is now in proper form for allowance, which action is earnestly solicited. If resolution of any remaining issue is required, the Examiner is invited to contact applicants' undersigned attorney at the telephone number provided below.

Respectfully submitted,



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